

REMARKS

This Amendment is responsive to the Final Office Action of Jan. 7, 2004. Entry of the following amendments and allowance of claims 2-4, 6-9, 14, 15, and 23 as set forth herein is respectfully requested.

The Office Action

Claim 9 is allowed.

Claims 1-6, 8, 10-15, 22, and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shimizu et al. (U.S. Patent 5,998,925) in view of Miller (U.S. Patent 6,044,189).

Claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Srivastava et al. (U.S. Patent 6,616,862) in view of Miller (U.S. Patent 6,044,189).

Claims 1, 5, 10-13, and 22 Have Been Canceled

Claims 1, 5, 10-13, and 22 have been canceled herein. The rejections of those claims are thus obviated. Claims 16-21 were canceled in previous amendments.

Claim 7 is amended herein to incorporate subject matter of claim 9 indicated in the Office Action as allowable, and should be entered

Claim 7 has been amended to recite subject matter of claim 9 indicated in the Office Action as being allowable. Accordingly, this amendment requires no new search, and should be entered.

Specifically, claim 7 as amended herein calls for a light emitting device comprising: a substrate; a nitride compound mounted to a first surface of the substrate; an epoxy, embedded with a phosphor, mounted to a second surface of the substrate opposite the first surface; and a frame on which the substrate is mounted by the epoxy. This combination of limitations is stated to be allowable in paragraph 4 ("Allowable Subject Matter") of the Jan. 7th Final Office Action. Accordingly, it is submitted that this amendment of claim 7 requires no new searching and should be entered, and that claim 7 as amended herein should be allowed.

Dependent claims 2-4, 6, and 8 have been amended to depend from claim 7. Accordingly, these amendments also require no new search and should be entered, and claims 2-4, 6, and 8 as set forth herein should be allowed.

Accordingly, Applicants submit that claims 2-4 and 6-8 as set forth herein should be entered and allowed.

Claim 23 is amended herein to incorporate subject matter of claim 9 indicated in the Office Action as allowable, and should be entered

Claim 23 has been amended to recite subject matter of claim 9 indicated in the Office Action as being allowable. Accordingly, this amendment requires no new search, and should be entered.

Specifically, claim 23 as amended herein calls for a light emitting device comprising: a nitride compound; a substrate having a first side on which the nitride compound is disposed; a frame including a roughened surface; and a phosphor containing epoxy disposed on a second side of the substrate opposite the first side and securing the substrate to the roughened surface of the frame. This combination of limitations is stated to be allowable in paragraph 4 ("Allowable Subject Matter") of the Jan. 7th Final Office Action. Accordingly, it is submitted that this amendment of claim 23 requires no new searching and should be entered. It is further submitted that claim 23 as set forth herein should be allowed.

Dependent claims 14 and 15 have been amended to depend from claim 23. Accordingly, these amendments also require no new search and should be entered, and claims 14 and 15 as set forth herein should be allowed.

Accordingly, Applicants submit that claims 14, 15, and 23 as set forth herein should be entered and allowed.

Incorporation of subject matter indicated as allowable into claims 7 and 23 is not to be construed as reflecting upon other subject matter contained in the claims

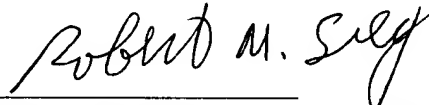
Applicants have amended independent claims 7 and 23 to incorporate subject matter indicated in the Jan. 7th Office Action as being allowable. The incorporation of such subject matter indicated as allowable into claims 7 and 23 is not to be construed as any sort of admission by Applicants pertaining to other subject matter or combinations of subject matter contained in claims 7 and 23 and/or in claims depending therefrom.

CONCLUSION

Based on the foregoing, it is submitted that claims 2-4, 6-9, 14, 15, and 23 as set forth herein require no new search and only a cursory review by the Examiner, and accordingly should be entered. It is respectfully submitted that the application including claims 2-4, 6-9, 14, 15, and 23 as set forth herein is now fully in condition for allowance. Accordingly, allowance of claims 2-4, 6-9, 14, 15, and 23 as amended herein is earnestly requested.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

A handwritten signature in black ink, reading "Robert M. Sieg". The signature is written in a cursive style with a horizontal line underneath the name.

Scott A. McCollister, Reg. No. 33,961
Robert M. Sieg, Reg. No. 54,446
1100 Superior Avenue
7th Floor
Cleveland, OH 44114-2516